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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,502	04/30/2001	David B. Colasurdo	RSW9-2001-0081-US1	2095

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EXAMINER

LE, HIEU C

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/845,502

Applicant(s)

COLASURDO ET AL.

Examiner

Hieu c. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1-06-05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 16-29 is/are rejected.
- 7) ☒ Claim(s) 10-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

1. The amendment filed 1/06/05 have been entered and made of record.
2. The Applicant 's argument filed 1/06/05 have been fully considered they are not persuasive with regard to claims 1& 16 for following reasons:

As to claims 1 &16, Applicant alleges that "clearly these lists are distinguishable as claim 1 [,]" (p. 11, lines 15-18). The Examiner disagrees. Firstly, Examiner can not find anywhere in the claim language that the session identification code is associated to servers that have been utilized in that session. In fact claim 1 recites "determining to which of said server groups" lines 6-7, and "includes a server identification code that matches a server identification code of a server in said determined server group" lines 11-12 which clearly means the session is associated with one server as taught by Lita.

Applicant alleges that " it is inappropriate to combine Lita with Dougkis [,]" (p. 12, lines 3-10). The Examiner disagrees. Firstly, Lita and Dougkis are analogous art and combinable. Secondly, as discussed above there is no recitation of list of servers recited in the claim.

As to claim 2, Applicant alleges that " with respect to claim 2 Applicants submit that the claimed feature of adding... [,]" (p. 12, line 28-p. 13, line 6). The Examiner disagrees. Firstly, as discussed above claims recites " a server identification code that matches a server identification code of a server in said determined server group" which is taught by Lita. Secondly, Lita discloses a server farm (multiple servers group) (Fig. 3).

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 16-29 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lita Christian (EP 1041496) in view of Douglass et al. (2002/0007415).

As to claim 1, Lita discloses a method of maintaining session affinity in a server farm coupled to receive client requests, said server farm comprising multiple server groups, each server group comprising multiple clone servers (Fig. 3), said method comprising the steps of:

(1) associating a collection of related client requests with a unique session

identification code [the director associates a session identifier (unique identifier) with the session (col. 7, lines 45-46), the session represents multiple client requests

(collection of related client requests) (col. 7, lines 4-7, lines 41-44), i.e the multiple client requests which forms a session are assigned a session identifier].

(2) responsive to receipt of a client request, determining to which of said server

the client request can be dispatched (col. 3, lines 1-5, col. 4, lines 36-40, col. 6, lines 47-50).

3) associating with said collection of requests sharing a session identification

code a list of every server in said server farm that has serviced a request in said collection [each server in the pool of servers has an associated session table that

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stores session identifiers of the sessions (collection of requests sharing a session identifier). The redirector has a table 57 listing each server and the session ID of the received request (col. 7, lines 52-56, Fig. 4, list 57)].

Lita further discloses dispatches each request in the session to the same server (col. 8, lines 53-55).

Lita does not disclose,

(4) responsive to receipt of a client request, determining if said list associated with said collection of requests to which said request belongs includes a server identification code that matches a server identification code of a server in said determined server group; and

(5) if a match is detected, dispatching said client request to said matched server.

Douglis discloses a method and system for providing content. The request from the same client are directed to same content distribution node (server) (col. 2, Lc, lines 1-21). The requests from users are assigned session ID col. 2 [0020].

Upon receiving a subsequent user request a table is searched for an entry matching a server address (server ID code) in the table. The subsequent requests from the client are directed to that server (col. 3 [0024]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Douglis's teaching to modify Lita's method by using a table (list) that associates the request with a server address (ID code) to search for a match of the server address in order to direct all client requests during a session to the same server and load balancing to reduce time latency.

As to claim 2, Dougkis further discloses wherein step (3) comprises, upon routing of a client request in a session to a server that has not previously serviced a client request in the session, adding a unique server identification code corresponding to said server to a list of server identification codes associated with said session, without deleting any other server identification codes in the list (col. 3, [0024]).

As to claim 3, Lita further discloses wherein steps (1) and (3) comprise sending said session identification code and said unique server identification code, respectively, to a client machine that issued said request so that said client machine can include said session identification code and said unique server identification code as part of future requests it issues to said server farm (col.8, [0047]).

As to claim 4, Lita further discloses wherein said list of server identification codes forms part of said session identification code (col. 2, lines 9-12).

As to claim 5, Lita further discloses wherein said list of server identification codes is appended to said session identification code (col. 2, lines 14-20).

As to claim 6, Lita further discloses wherein said session identification code is a session id in accordance with the Java Servlet 2.2 specification (col. 9, lines 18-20)

As to claim 7, Lita further discloses wherein said session identification code forms part of a cookie associated with said session (col. 7, lines 45-57).

As to claim 8, Lita further discloses wherein said cookie forms part of said client request (col. 7, lines 45-57).

As to claim 9, Lita further discloses wherein said session identification code forms part of a Uniform Resource Identifier (that forms part of said client request

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(col. 4, lines 36-47).

As to claim 16, refer to claim 1 rejection. Lita discloses a computer program (Fig. 1).

As to claim 17, refer to claim 2 rejection. Lita discloses a computer program (Fig. 1).

As to claim 18, refer to claim 3 rejection.

As to claim 19, refer to claim 4 rejection.

As to claim 20, refer to claim 5 rejection.

As to claim 21, refer to claim 6 rejection.

As to claim 22, refer to claim 7 rejection.

As to claim 23, refer to claim 8 rejection.

As to claim 24, refer to claim 9 rejection.

As to claim 25, refer to claim 10 rejection.

As to claim 26, refer to claim 11 rejection.

As to claim 27, refer to claim 12 rejection.

As to claim 28, refer to claim 13 rejection.

As to claim 29, refer to claim 14 rejection.

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Allowable Subject Matter

5. Claims 10-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (571) 272-3897.

The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Caldwell Andrew, can be reached on (571) 272-3868. The fax phone number for this Group is (571)-273-3897.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 273-8300.

Hieu Le



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER